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SEC

SERVICE DATE – SEPTEMBER 15, 2006

SURFACE TRANSPORTATION BOARD

DECISION

STB Ex Parte No. 646 (Sub-No. 1)

SIMPLIFIED STANDARDS FOR RAIL RATE CASES

Decided: September 14, 2006

In a decision served on July 28, 2006, the Board proposed to revise and clarify its guidelines for resolving “those cases in which a full stand-alone cost presentation is too costly, given the value of the case.” 49 U.S.C. 10701(d)(3). That decision called for interested parties to submit comments by September 29, 2006. Reply submissions were due by October 30, 2006, and rebuttal submissions were due by December 1, 2006.

On September 8, 2006, the American Chemistry Council, The Fertilizer Institute, the National Grain and Feed Association, and The National Industrial Transportation League (collectively, Interested Parties) filed a joint motion for an extension of time. The Interested Parties state that the extension is necessary to analyze the proposals, obtain needed data, and analyze the data in light of the proposals. They also state that an extension is needed to coordinate their presentation to the Board. The Interested Parties ask that the deadline for submitting comments be delayed until October 24, 2006, with reply submissions due by November 22, 2006, and rebuttal submissions due by December 21, 2006. On September 13, 2006, the Alliance for Rail Competition filed a statement in support of the Interested Parties’ extension request.

The Association of American Railroads (AAR) filed a reply on September 12, 2006. AAR does not object to the motion for an extension of time, but asks that the deadline for reply submissions be changed to November 30, 2006. AAR states that the Interested Parties do not object to the modification.

The requests are reasonable and will be granted. While the Board intends to pursue the resolution of these issues expeditiously, establishment of the new deadlines for submissions should not unreasonably delay this proceeding.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The motion for an extension of time and the request to modify the deadline for reply submissions are granted, as discussed above. Submissions addressing the proposals are due on October 24, 2006. Reply submissions are due by November 30, 2006. Rebuttal submissions are due by December 21, 2006.

2. This decision is effective on the date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary